

TRANSLATION

OFFICIAL ACTION

- (21) Application number 2006112579/28(013686).
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(51) IPC G02B 5/30(2006.01)

QUESTIONS, ARGUMENTS, OBJECTIONS, PROPOSALS

The applicant claims a group of inventions including a process for the production of a personalized, optically variable element (claims 1 to 13) and a film system. After substantive examination of the application materials carried out in line with the Patent Cooperation Treaty (PCT), Regulations under the PCT, and the RF Civil Code, Part IV (hereinafter referred to as Code), the examiner states as follows.

1. In accordance with Code, Article 1382 the Convention priority has been established as of 16.09.2003 on the basis of the filing date of first application No.10342674.4 filed with the DE Patent Office.

2. Dependent claim 6 recites the feature: "replication of a relief structure"; the meaning content of the feature is ambiguous for a person skilled in the art, so it is unclear what a structure is particularly meant here. In this connection the applicant is recommended either to delete the feature from the claim, or to amend it on the basis of the original application documents. Please note that the feature will not be taken into consideration in the patentability analysis.

3. As regards a process for the production of a personalized, optically variable having polarizing properties defined in independent claim 1, the examiner states as follows.



Analysis of the prior art has shown that known in the art is a process for the production of a personalized, optically variable element having polarizing properties, wherein to produce the optically variable element a film body which comprises two or more layers and which has a layer, comprising a liquid crystal material is applied to a substrate body which has an orientation layer for the orientation of liquid crystals, that the orientation layer of the substrate body is personalized prior to application of the film body to the substrate body, and that the film body is applied to the personalized orientation layer of the substrate body in such a way that the LCP layer of the film body lies on the personalized orientation layer of the substrate body for the orientation of liquid crystals of the layer of the film body (WO 02/29452 A1, 11.04.2002, p.1, 9-10, 23 pages).

Comparative analysis has shown that the claimed invention differs over the prior art in that a layer comprising a liquid crystal material is an LCP.

The technical result of the invention indicated by the applicant is a reduced complexity of the production of a personalized, optically variable element.

The examiner believes that the LCP has no effect on the technical result since for attaining the technical result it is essential to modify the orientation layer. In this connection analysis of the distinctive features against the prior art has been carried out without account of their influence on the technical result.

The use of an LCP as a layer comprising a liquid crystal material is a common knowledge (see e.g. RU 2204179 C1, 10.05.2003, 12 pages).

Thus, the claimed method is based on the replacement of a part of a known process by another known part and fails to observe the inventive step requirement (CC Article 1350).

The applicant is invited to decide whether it is reasonable to continue processing of the invention defined in claim 1 to 13 and, if affirmative, submit the amended claims.

4. As regards a film system defined in independent claim 14, the examiner states as follows.

Analysis of the prior art has shown that known in the art is a film system comprising a substrate body and a film body for providing a personalized, optically variable element (51) having polarizing properties, wherein the film body of the film system comprises two or more layers and has a layer comprising a liquid crystal material, that the substrate body of the film system has an orientation layer for the orientation of liquid crystals and that the film body after personalization of the orientation layer of the substrate body is applied to the personalized orientation of the substrate body in such a way that the layer of the film body lies on the personalized orientation layer of the substrate body for the orientation of liquid crystals of the layer of the film body (WO 02/29452 A1, 11.04.2002, p.1, 9-10, 23 pages).

Comparative analysis has shown that the claimed invention differs over the prior art in that a layer comprising a liquid crystal material is an LCP.

The technical result of the invention indicated by the applicant is a reduced complexity of the production of a personalized, optically variable element.

The examiner believes that an LCP has no effect on the technical result since for attaining the technical result it is essential to modify

the orientation layer. In this connection analysis of the distinctive features against the prior art has been carried out without account of their influence on the technical result.

The use of an LCP as a layer comprising a liquid crystal material is a common knowledge (see e.g. RU 2204179 C1, 10.05.2003, 12 pages).

Thus, the claimed film system is based on the replacement of a part of a known process by another known part and fails to observe the inventive step requirement (CC Article 1350).

The applicant is invited to decide whether it is reasonable to continue processing of the invention defined in claims 14 to 20 and, if affirmative, submit the amended claims.

As regards dependent claims: features of claim 7 are anticipated by WO 9927398 A1, 03.06.1999, 54 pages, and features of claims 8,9 are anticipated by RU 2001106515 A, 20.05.2003.

Please note that the amended claims, if submitted, should not contain features that were missing in the original claims and description (CC Articles 1386.5 and 1378.1). Further patentability analysis will be carried out in respect of the amended claims furnished by the applicant.

Leading official patent examiner

/signature/

E.Ph. Andreychenko